IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

**O R D E R**

S.B. CIVIL WRIT PETITION NO. 3734/2003

M/s BHILWARA DRUG DISTRIBUTORS
Vs.
THE RESERVE BANK OF INDIA & ORS.

DATE: 31.10.2007.

**HON'BLE MR. JUSTICE K.S. RATHORE**

None present for the petitioner.
Mr. Sanjay Srivastava for the respondent RBI.
Mr. Alok Garg for the respondents.

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This writ petition is directed against the impugned order dated 12.05.2003 passed by the Recovery Officer, Debts Recovery Tribunal, Jaipur.

Learned counsel for the respondents submits that this writ petition is not maintainable as alternative efficacious remedy under Section 30 of the Recovery of Debts Due to Banks and Financial Institutions Act, 1993 (for short 'the Act of 1993'), which provides for appeal against the order of Recovery Officer, is available to the petitioner and without availing alternative efficacious remedy, the petitioner has filed this writ petition.

Having considered the submissions made on behalf of the respondents and upon careful perusal of

the provisions of Section 30 of the Act of 1993, since the petitioner has got alternative efficacious remedy, the present writ petition is not maintainable. Even otherwise also, the petitioner has raised several disputed question of facts and law and while exercising power under Article 226 of the Constitution of India, this Court do not want to interfere in such matters.

Consequently, the writ petition fails being devoid of merit and the same is hereby dismissed.

The stay application also stands dismissed.

**(K.S. RATHORE),J.**

/KKC/